NOTES OF CASES.

Warning to Claim Adjusters.—"Fighting fire with fire" is not proper conduct for an attorney in claim adjusting. See In re Robinson (Court of Appeals of New York, 103 Northeastern Reporter, 160) affirming (Supreme Court, Appellate Division) 136 New York Supplement, 548. This was a proceeding to disbar Henry A. Robinson, an attorney. Robinson was general solicitor of the Metropolitan Street Railway Company. The charge against him was misconduct in participating in and authorizing the payment of sums of money by the company to employees, who were called detectives or investigators, in relation to litigation before the courts wherein the railroad company was defendant. The evidence in the lower court showed that Robinson was the head of an extensive system of claim adjustment, that he personally countenanced the paying of large sums to investigators and detectives, clerks and officers of courts, policemen, and witnesses. "It was a system that deliberately conduced to bribery and subornation of perjury." The Court of Appeals further says: "The duty of an attorney for a person or corporation may require him, personally or otherwise, to interview all of the witnesses to a transaction or occurrence, whether such witnesses are favorable to the claimant or not, for the purpose of ascertaining, so far as possible, the extent of the liability of his client, if any, by reason of such transaction or occurrence. Money paid for the reasonable expenses of an investigator to ascertain the names of witnesses and their knowledge on the subject under consideration constitutes a legitimate expenditure by a person or corporation charged with liability by reason of negligence or for any other cause, and such reasonable payments are not subject to criticism, and do not justify a charge against an attorney who approves the same. Reasonable expenditures for investigation by an expert for the purpose of making such expert a witness upon a trial are also a legitimate expenditure. The court held that the evidence tended to support some of the specific charges, and said: "It is also true of the elaborate system developed by the appellant and the lavish expenditures of money in connection therewith, all of which inevitably tended to interfere with the administration of justice and to bring the courts into disrepute. The appellant's connection with the system and the acts and expenditures connected therewith were so intimate and controlling that the purpose of the system and the details in carrying it out are directly chargeable to him." Disbarment order was affirmed.

Automobiles—Blessing or Curse?—It may be interesting to see the liability which attaches as soon as a person becomes an owner of an automobile. To the walking populace and to owners of valuable

chickens that insist on making their nests in the roadway, the rule applied in Cohen *v.* Borgenecht, 144 New York Supplement, 399, offers a solace, but to the father of a reckless son or a speed-loving daughter the rule spells more trouble. It was there held that where the owner of an automobile provided it for the use of his family, and directed the chauffeur to take their orders, the owner is liable for any injury caused by the chauffeur's neglect while acting under his son's order; he being in the owner's employ, though running the machine in obedience to the directions of members of the family.

Maternity Does Not Disqualify Teacher.—Greater New York Charter (Laws 1901, c. 466), § 1093, provides that a teacher may be removed for misconduct, insubordination, neglect of duty, and general inefficiency, while the by-laws of the school board provide that a teacher's absence may be excused when caused by serious personal illness, death in the teacher's immediate family, compliance with the requirements of the court, and quarantine established by the board of health. In the case of People *v.* Board of Education, 144 New York Supplement 87, the Supreme Court, Special Term, New York County, held that, as a female teacher might marry without being subject to removal, the charter grounds being exclusive, and as serious personal illness will, under the by-laws, excuse absence, the absence of a married female teacher on account of maternity does not constitute neglect of duty authorizing dismissal.

Fingers in Wrong Place.—At certain times in our lives we would like to lose our hands and feet. When we go calling the first time, or have the photographer attempt to make us look graceful and happy and other things we are not, or attend our first banquet with about 14 separate knives, forks, and spoons in close proximity to our plate, whereas we were accustomed to eating by Nature's own method, our pedal and manual extremities are the largest appearing, most cumbersome, and awkward things ever created. Some people never learn what to do with their hands and fingers. They usually begin by having them slapped, and end by having them burnt. Others are simply unfortunate, as was the plaintiff in Pendergrast *v.* Durham Traction Co. (Supreme Court of North Carolina) 79 Southeastern Reporter, 984. Plaintiff, in alighting from a moving street car, took hold of a grabhandle, when a ring which he wore on his little finger became caught in a screw head which projected above the surface hardly a sixteenth of an inch, with the result that his finger was torn off. The lower court's dismissal of the action for damages was affirmed by the Supreme Court. "Giving due consideration to the circumstances of the obscure placing of the screw, * * * that the